

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**TODD LOGAN,**

**Plaintiff,**

**v.**

**ILLINOIS CENTRAL RAILROAD  
COMPANY, INC, d/b/a CN/IC, and  
M&C TRANSPORTATION, INC.,  
A CORPORATION,**

**Defendants.**

**No. 05-CV-0902-DRH**

**SHANNON M. BELL**

**Plaintiff,**

**v.**

**ILLINOIS CENTRAL RAILROAD  
COMPANY, INC, d/b/a CN/IC, and  
M&C TRANSPORTATION, INC.,  
A CORPORATION,**

**Defendants.**

**No. 05-CV-0904-DRH**

**ORDER**

**HERNDON, District Judge:**

This matter comes before the Court in response to the pending motions

to consolidate and sever in these matters. Based on the following, the Court *sua sponte* severs these cases.

Here, the Court is exercising its discretion to terminate its January 5, 2006 Order consolidating the cases for discovery purposes and is severing the cases. The Court finds that it is necessary to sever these cases to prevent any effort to conduct “consolidated depositions” like the one that was attempted with Dr. Hanaway. The bane of the trial judge in today’s trials are issues arising regarding whether some expert is expressing an opinion beyond the scope of those opinions expressed in a Rule 26 report as supplemented by his deposition. The Court cannot imagine how difficult it would be to glean the necessary information out of a deposition that was a discussion of two different patients. Clearly, counsel cannot handle the luxury of cases being consolidated for discovery without making something otherwise very simple become overly complicated. Consolidating cases for discovery is done in an effort to simplify procedures and to make matters more efficient. When the process is utilized to complicate matters and take efficiencies out of the process it defeats the Court’s objectives. The Court is not in the business of putting a weapon in the hands of counsel to facilitate a party’s objective of making muddy water out of clear.

Accordingly, the Court *sua sponte* **VACATES** its January 1, 2006 Order consolidating these cases for discovery only and **SEVERS** these cases. Thus, the

Court **DENIES as moot** the pending motions to consolidate and sever filed in these cases.

**IT IS SO ORDERED.**

Signed this 16th day of November, 2006.

/s/ David RHerndon  
**United States District Judge**